


**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : Cotton et al.  
Serial No. : 10/672,936  
Filed : 25 September 2003  
For : NOVEL FORM OF S-OMEPRAZOLE  
Examiner : Aulakh, Charanjit  
Group Art Unit : 1625

**RECEIVED**  
**CENTRAL FAX CENTER**  
**DEC 08 2006**

|  |                        |
|--|------------------------|
| <b>CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. 1.8</b>   |                        |
| I hereby certify that this paper is being facsimile transmitted to the U.S. Patent and Trademark Office on 8 December 2006 at the facsimile number 571-273-8300. |                        |
| <u>John M. Genova</u>  | <u>32.224</u>          |
| Attorney Name  | PTO Reg. No.           |
|   | <u>8 December 2006</u> |
| Signature  | Date of Signature      |

**MAIL STOP AF**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Attention: Examiner Charanjit Aulakh  
Pages: 3

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES  
(37 C.F.R. §1.191)**

Sir:

Applicants hereby appeal to the Board from the decision of the Primary Examiner, mailed 10 August 2006, finally rejecting claims 1 and 2. The item(s) below are appropriate:

12/11/2006 TL0111 00000052 231703 10672936  
01 FC:1401 500.00 DA  
02 FC:1251 120.00 DA

USSN 10/672,936, filed 25 September 2003  
Attorney Docket No.: 1103326-0502 CON  
Page 2 of 3

RECEIVED  
CENTRAL FAX CENTER  
DEC 08 2006

## 1. STATUS OF APPLICANTS

This application is on behalf of other than a small entity.

## 2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. §1.17(b), the fee for filing the Notice of Appeal is \$500.00.

## 3. EXTENSION OF TERM

The proceedings herein are for a patent application and the provisions of 37 C.F.R. §1.136 apply.

(a) ☒ Applicant petitions for an extension of time under 37 C.F.R. §1.136 (fees: 37 C.F.R. §1.17(a)(1-4)) for the total number of months checked below:

| <u>Extension (months)</u>                     | <u>Fee for other than small entity</u> |
|---|--|
| <input checked="" type="checkbox"/> one month | \$120.00                               |
| <input type="checkbox"/> two months           | \$450.00                               |
| <input type="checkbox"/> three months         | \$1,020.00                             |
| <input type="checkbox"/> four months          | \$1,590.00                             |

Fee \$120.00

If an additional extension of time is required, please consider this a petition therefor.

☐ An extension for \_\_\_\_\_ month has already been secured by the Amendment after Final, filed \_\_\_\_\_. The fee paid therefor of \_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$120.00

or

(b) ☐ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that Applicants have inadvertently overlooked the need for a petition and fee for extension of time.

## 4. TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee \$ 500.00

Extension fee (if any) \$ 120.00

TOTAL FEE DUE \$ 620.00

FROM W&C LLP 19TH FL.

(FRI)12. 8'06 17:18/ST. 17:17/NO. 4260454171 P 3

USSN 10/672,936, filed 25 September 2003  
Attorney Docket No.: 1103326-0502 CON  
Page 3 of 3

RECEIVED  
CENTRAL FAX CENTER  
DEC 08 2006

5. FEE PAYMENT


- ☐ Attached is a check in the sum of \$ \_\_\_\_.
- ☒ Charge Account No. 23-1703 the sum of \$ 620.00.

6. FEE DEFICIENCY

- ☒ If any additional extension and/or fee is required, charge Account No. 23-1703.  
AND/OR
- ☐ If any additional fee for claims is required, charge Account No. 23-1703.

Dated: 8 December 2006

Respectfully submitted,



John M. Genova  
Reg. No. 32,224

Customer No. 007470  
(212) 819-8832